

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

TWIN BRIDGES WASTE AND RECYCLING,
LLC,

Plaintiff,

v.

1:21-CV-0263
(DNH/DJS)

COUNTY WASTE AND RECYCLING SERVICE,
INC, *et al.*,

Defendants.

APPEARANCES:

DREYER BOYAJIAN, LLP
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OF COUNSEL:

DONALD W. BOYAJIAN, ESQ.
JAMES R. PELUSO, ESQ.

ADAM SHAW, ESQ.

WILLIAM E. REYNOLDS, ESQ.
KELLY A. SPRAGUE, ESQ.

DANIEL J. STEWART
United States Magistrate Judge

DISCOVERY ORDER

As part of the August 28, 2024, Discovery Order, Dkt. No 186, the Court directed counsel for the parties to review and reconsider their Attorneys Eyes Only (“AEO”) designations made pursuant to the previously issued Protective Order. Dkt. No. 38.

Since that time counsel for the Plaintiff has redesignated all of their AEO documents and reduced the level of protection to a Confidential Information (“CI”) status. Dkt. No. 196 at p. 3. For their part, counsel for the Defendants have redesignated approximately 1,500 documents to CI but have maintained the AEO status for most of their document disclosures. Dkt. No. 197. In response, Plaintiff’s counsel has submitted to the Court several such documents which they claim are still improperly designated and, based upon that representative sample, maintain that the Court should cancel the AEO designations of *all* documents produced by County Waste, which are now in the range of 15,000 items. Dkt. Nos. 196 & 197.

After hearing at length from counsel at the most recent discovery conference on October 18, 2024, and considering the dictates of Rule 1, the Court finds as follows:

Plaintiff’s Request to have the Court redesignate all of Defendants Attorneys Eyes Only classifications is DENIED. Plaintiff retains all the rights and procedures outlined in the Protective Order, Dkt. No. 38, including making a Motion to the Court as set forth at Paragraph 4.

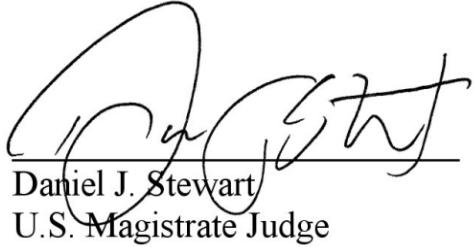
Further, and in preparation of the upcoming depositions, Plaintiff’s counsel is authorized to discuss with their client the generalized content of the AEO designated documents, including dates of events and locations detailed in the documents, but is not authorized to display the document to him or her, or to supply a copy of the document.

Finally, Plaintiff’s counsel is directed to identify to Defendants’ counsel what they believe are the most crucial 100 documents that they wish to have their client

review, and Counsel for County Waste shall respond to those specific requests without undue delay.

IT IS SO ORDERED.

Dated: October 22, 2024
Albany, New York



Daniel J. Stewart
U.S. Magistrate Judge